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EXAMINER

SALAD, ABDULLAHI ELMI

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 03/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/934,924

Applicant(s)

BEAMS ET AL.

Examiner

Salad E Abdullahi

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 and 58-76 is/are pending in the application.
- 4a) Of the above claim(s) 39-57 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 and 58-76 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/3/2004 has been entered.
2. Applicant's argument with respect to claims 1-38 and 58-76 has been considered but are moot in view of new grounds of rejection.

Applicant alleges Daniels does not teach the amended claim limitation of:
"selecting second destination to interact with the one or more users and modifying the interaction parameters for the one or more users in accordance with second destination.

Examiner respectfully disagrees, because Daniels teach selecting second destination depending on how a student does on unit test (col. 9, lines 63 to col. 10, line 34).

Also, Daniels teach modifying the interaction parameters (col. 9, lines 63 to col. 10, line 6).

Applicant further alleges Daniels does not teach "connecting a server and one or more users and first virtual instructor (first teacher) and dynamically adding second virtual instructor".

Examiner respectfully disagrees because Daniels describes adding a second teacher group as well as curriculum specialist sub group(see col. 5, lines 62-64 and col. 6, lines 37-44).

In response to applicant's argument Daniels does not teach selecting presentation type for instructing one or more users (see col. 3, lines 15-40 and col. 4, lines 19-50).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daniels et al., U. S. Patent No. 5,310,349[hereinafter Daniels] in view of Stephens et al., U.S. Patent No. 6,261,103[hereinafter Stephens].

As per claims 1, Daniels disclose a method for establishing virtual consultant (virtual teacher), comprising the steps:

- (a) connecting a server and one or more users (see col. 3, lines 15-40 and col. 4, lines 19-50 and col. 6, lines 37-64);
- (b) selecting a first destination (class room 28) within the server to interact with one or more users (see fig. 4, and col. 3, lines 15-40 and col. 4, lines 19-50);
- (c) coupling the one or more users through the server based on the first destination (see fig. 4, and col. 3, lines 15-40 and col. 4, lines 19-50); and

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- (d) establishing interaction parameters (providing support functions) for the one or users based on the selected destination (see fig. 4, and col. 3, lines 15-40 and col. 4, lines 19-50).

Daniels does not explicitly disclose: selecting a second destination to interact with the one or more users and modifying the interaction parameters for the one or more users in accordance with second destination.

Stephens discloses an interactive multimedia system for enabling students, teachers And administrators to interactive including selecting a second destination and (i.e., Student home to interact with the one or more users (see figs 10 and 11 and col. 17, lines 31-67). Therefore, it would have been obvious to having ordinary skill in art at the time of the invention to incorporate the teachings of Stephens into the system of Daniels in order to effectively provide an automated teaching on remotely located students/users.

In considering claim 2, Daniels disclose a method for establishing a virtual consultant as recited in claim 1, wherein the first and second destinations include locations such as reception area (school map 20), where users can interact using collaborative functions of the system (see fig. 4, element 26, 30 and 40).

In considering claim 3, Daniels disclose a method for establishing a virtual consultant as recited in claim 1, wherein the first and second destinations include locations such as

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reception area, library, an office or a lounge where users can interact using collaborative functions of the system (see fig. 4, element 26, 30 and 40).

In considering claim 4, Daniels disclose a method for establishing a virtual consultant as recited in claim 1, wherein the first and second destinations include locations such as reception area, library, an office or a lounge where users can interact using collaborative functions of the system (see fig. 4, element 26, 30 and 40).

In considering claim 5, Daniels disclose a method for establishing a virtual consultant as recited in claim 1, wherein the first and second destinations include locations such as reception area, library, an office or a lounge where users can interact using collaborative functions of the system (see fig. 4, element 26, 30 and 40).

In considering claim 6, Daniels disclose a method for establishing a virtual consultant as recited in claim 1, wherein interaction parameters include support for collaboration, support for bulletin board, support for recording functions and support for electronic distribution (see fig. 4, element 44).

In considering claim 7, Daniels disclose a method for establishing a virtual consultant as recited in claim 1, wherein interaction parameters include support for collaboration, support for bulletin board, support for recording functions and support for electronic distribution (see fig. 4, element 44).

In considering claim 8, Daniels disclose a method for establishing a virtual consultant as recited in claim 1, wherein interaction parameters include support for collaboration, support for bulletin board, support for recording functions and support for electronic distribution (see fig. 4, element 44).

In considering claim 9, Daniels disclose a method for establishing a virtual consultant as recited in claim 1, wherein interaction parameters include support for collaboration, support for bulletin board, support for recording functions and support for electronic distribution (see fig. 4, element 44).

As per claim 10, Daniels disclose an apparatus discloses for establishing virtual consultant (virtual teacher), comprising the steps:

- (a) logic that connects a server and one or more users (see col. 3, lines 15-40 and col. 4, lines 19-50 and col. 6, lines 37-64);
- (b) logic that selects a first destination (class room 28) within the server to interact with one or more users (see fig. 4, and col. 3, lines 15-40 and col. 4, lines 19-50);
- (c) logic that couples the one or more users through the server based on the first destination (see fig. 4, and col. 3, lines 15-40 and col. 4, lines 19-50); and
- (d) logic that establishes interaction parameters (providing support functions) for the one or users based on the selected destination (see fig. 4, and col. 3, lines 15-40 and col. 4, lines 19-50).

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Daniels does not explicitly disclose: selecting a second destination to interact with the one or more users and modifying the interaction parameters for the one or more users in accordance with second destination

Stephen discloses an interactive multimedia system for enabling students, teachers and administrators to interactive including selecting a second destination and (i.e., student home to interact with the one or more users (see figs 10 and 11 and col. 17, lines 31 67). Therefore, it would have been obvious to having ordinary skill in art at the time of the invention to incorporate the teachings of Stephens into the system of Daniels in order to effectively provide an automated teaching on remotely located students/users.

As per claim 11, Daniels disclose a computer program system for establishing virtual consultant (virtual teacher), comprising the steps:

- (a) code segment that connects a server and one or more users (see col. 3, lines 15-40 and col. 4, lines 19-50 and col. 6, lines 37-64);
- (b) code segment that selects a first destination (class room 28) within the server to interact with one or more users (see fig. 4, and col. 3, lines 15-40 and col. 4, lines 19-50);
- (c) code segment that couples the one or more users through the server based on the first destination (see fig. 4, and col. 3, lines 15-40 and col. 4, lines 19-50);
and

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- (d) code segment that establishes interaction parameters (providing support functions) for the one or users based on the selected destination (see fig. 4, and col. 3, lines 15-40 and col. 4, lines 19-50).

Daniels does not explicitly disclose: selecting a second destination to interact with the one or more users and modifying the interaction parameters for the one or more users in accordance with second destination

Stephen discloses an interactive multimedia system for enabling students, teachers and administrators to interactive including selecting a second destination and (i.e., student home to interact with the one or more users (see figs 10 and 11 and col. 17, lines 31 67). Therefore, it would have been obvious to having ordinary skill in art at the time of the invention to incorporate the teachings of Stephens into the system of Daniels in order to effectively provide an automated teaching on remotely located students/users.

In considering claim 12, Daniels disclose a computer program embodied on a computer-readable medium that establishes a virtual school class room as recited in claim 11, wherein the first and second destinations include locations such as reception area, library, an office or a lounge where users can interact using collaborative functions of the system (see fig. 4, element 26, 30 and 40).

In considering claim 13, Daniels disclose a computer program embodied on a computer-readable medium that establishes a virtual school class room as recited in claim 11,

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wherein the first and second destinations include locations such as reception area, library, an office or a lounge where users can interact using collaborative functions of the system (see fig. 4, element 26, 30 and 40).

In considering claim 14, Daniels disclose a computer program embodied on a computer-readable medium that establishes a virtual school class room as recited in claim 11, wherein the first and second destinations include locations such as reception area, library, an office or a lounge where users can interact using collaborative functions of the system (see fig. 4, element 26, 30 and 40).

In considering claim 15, Daniels disclose a computer program embodied on a computer-readable medium that establishes a virtual school class room as recited in claim 11, wherein the first and second destinations include locations such as reception area, library, an office or a lounge where users can interact using collaborative functions of the system (see fig. 4, element 26, 30 and 40).

In considering claim 16, Daniels disclose a computer program embodied on a computer-readable medium that establishes a virtual school class room as recited in claim 11, wherein interaction parameters include support for collaboration (see fig. 4, element 44).

In considering claim 17, Daniels disclose a computer program embodied on a computer-readable medium that establishes a virtual school class room as recited in claim 11,

wherein, wherein interaction parameters include support for bulletin board function (see fig. 4, element 44).

In considering claim 18, Daniels disclose a computer program embodied on a computer-readable medium that establishes a virtual school class room as recited in claim 11, wherein interaction parameters include support for recording function (see fig. 4, element 52).

In considering claim 19, Daniels disclose a computer program embodied on a computer-readable medium that establishes a virtual school class room as recited in claim 11, wherein interaction parameters include support for recording functions and support for electronic distribution of consulting material (see fig. 4, element 44).

5. Claims 20-76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daniels in view of Stuppy U.S. Patent No. 6,804,489[hereinafter Stuppy].

As per claim 20, Daniels disclose a method for providing one or more virtual instructors (virtual teacher), comprising the steps:

- connecting a server and one or more users and first virtual instructor (first teacher) (see col. 3, lines 15-40 and col. 4, lines 19-50 and col. 6, lines 37-64);
- selecting a destination (location, class room) within the server to interact with one or more users (see fig. 4, and col. 3, lines 15-40 and col. 4, lines 19-50);

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- coupling the one or more users through the server based on the selected destination see fig. 4, and col. 3, lines 15-40 and col. 4, lines 19-50); and
- establishing interaction parameters (providing support functions) for the one or users based on the selected destination (see fig. 4, and col. 3, lines 15-40 and col. 4, lines 19-50).

Daniels is silent regarding: dynamically adding second virtual instructor.

Stuppy discloses teacher load balancing system including dynamically adding second virtual instructor (second teacher) (see col. 7, lines 11-24). Furthermore, Stuppy teaches a teacher selection controller (e.g., a server) can select a teacher based on a teacher or student attribute. For example, a teacher proficient in a particular subject or language can be selected to teach targeted students that requires commensurate level of teaching proficiency or language. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to incorporate the teaching of Stuppy into the system of Daniels such that more proficient teachers in math or reading can be assigned to teach less proficient students based needs of the students.

In considering claim 21, Daniels disclose the method for providing one or more virtual instructors as recited in claim 20, wherein the second virtual instructor monitors progress and provides feedback (see col. 3, lines 29-31 and col. 6, lines 36-63 and col. 14, lines 37-64).

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In considering claim 22, Daniels disclose the method for providing one or more virtual instructors as recited in claim 20, wherein the second virtual instructor (second teacher) is selected by one more users (see col. 6, lines 36-63 and col. 14, lines 37-64).

In considering claim 23, Daniels disclose the method for providing one or more virtual instructors as recited in claim 20, wherein the second virtual instructor becomes the principal (see col. 6, lines 36-63 and col. 14, lines 37-64).

In considering claim 24, Daniels disclose the method for providing one or more virtual instructors as recited in claim 20, wherein the second virtual instructor works with the first instructor to instructor the one or more users (see col. 6, lines 36-63).

In considering claim 25, Daniels disclose the method for providing one or more virtual instructors as recited in claim 20, wherein the second virtual instructor collaborates privately with the first instructor (see col. 6, lines 36-63).

In considering claim 26, Daniels disclose the method for providing one or more virtual instructors as recited in claim 20, wherein the second virtual instructor leads a breakout session with one or more users (see col. 13, lines 8-13).

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In considering claim 27, Daniels disclose the method for providing one or more virtual instructors as recited in claim 20, the second virtual instructor is selected by the first virtual instructor (see col. 6, lines 36-63 and col. 14, lines 37-64).

In considering claim 28, Daniels disclose the method for providing one or more virtual instructors as recited in claim 20, the second virtual instructor the interaction parameters include support of for electronic distribution of materials from the second virtual instructor (see col. 6, lines 36-63 and col. 14, lines 37-64).

As per claim 29, Daniels disclose an apparatus for providing one or more virtual instructors (virtual teacher), comprising the steps:

- logic that connects a server and one or more users and first virtual instructor (first teacher) (see col. 3, lines 15-40 and col. 4, lines 19-50 and col. 6, lines 37-64);
- logic that selects a destination (location, class room) within the server to interact with one or more users (see fig. 4, and col. 3, lines 15-40 and col. 4, lines 19-50);
- logic that couples the one or more users through the server based on the selected destination see fig. 4, and col. 3, lines 15-40 and col. 4, lines 19-50);
and
- logic that establishes interaction parameters (providing support functions) for the one or users based on the selected destination (see fig. 4, and col. 3, lines 15-40 and col. 4, lines 19-50).

Daniels is silent regarding: dynamically adding second virtual instructor.

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Stuppy discloses teacher load balancing system including dynamically adding second virtual instructor (second teacher) (see col. 7, lines 11-24). Furthermore, Stuppy teaches a teacher selection controller (e.g., a server) can select a teacher based on a teacher or student attribute. For example, a teacher proficient in a particular subject or language can be selected to teach targeted students that requires commensurate level of teaching proficiency or language. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to incorporate the teaching of Stuppy into the system of Daniels such that more proficient teachers in math or reading can be assigned to teach less proficient students based needs of the students.

As per claim 30, Daniels disclose a computer program embodied on a computer-readable medium that provides one or more virtual instructors comprising the steps:

- a code that connects a server and one or more users and first virtual instructor (first teacher) (see col. 3, lines 15-40 and col. 6, lines 37-64);
- a code that selects a destination (location, class room) within the server to interact with one or more users (see fig. 4, and col. 3, lines 15-40);
- a code that couples the one or more users through the server based on the selected destination (see fig. 4, and col. 3, lines 15-40 and col. 4, lines 19-50);
and
- a code that establishes interaction parameters (providing support functions) for the one or users based on the selected destination (see fig. 4, and col. 3, lines 15-40 and col. 4, lines 19-50).

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Daniels is silent regarding: dynamically adding second virtual instructor.

Stuppy discloses teacher load balancing system including dynamically adding second virtual instructor (second teacher) (see col. 7, lines 11-24). Furthermore, Stuppy teaches a teacher selection controller (e.g., a server) can select a teacher based on a teacher or student attribute. For example, a teacher proficient in a particular subject or language can be selected to teach targeted students that requires commensurate level of teaching proficiency or language. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to incorporate the teaching of Stuppy into the system of Daniels such that more proficient teachers in math or reading can be assigned to teach less proficient students based needs of the students.

In considering claim 31, Daniels disclose a computer program embodied on a computer-readable medium that provides one or more virtual instructors as recited in claim 20, wherein the second virtual instructor monitors progress and provides feedback (see col. 3, lines 29-31 and col. 6, lines 36-63 and col. 14, lines 37-64).

In considering claim 32 Daniels disclose a computer program embodied on a computer-readable medium that provides one or more virtual instructors as recited in claim 20, wherein the second virtual instructor (second teacher) is selected by one more users (see col. 6, lines 36-63 and col. 14, lines 37-64).

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In considering claim 33, Daniels disclose a computer program embodied on a computer-readable medium that provides one or more virtual instructors as recited in claim 20, wherein the second virtual instructor becomes the principal (see col. 6, lines 36-63 and col. 14, lines 37-64).

In considering claim 34, Daniels disclose a computer program embodied on a computer-readable medium that provides one or more virtual instructors as recited in claim 20, wherein the second virtual instructor works with the first instructor to instructor the one or more users (see col. 6, lines 36-63).

In considering claim 35, Daniels disclose a computer program embodied on a computer-readable medium that provides one or more virtual instructors as recited in claim 20, wherein the second virtual instructor collaborates privately with the first instructor (see col. 6, lines 36-63).

In considering claim 36, Daniels disclose a computer program embodied on a computer-readable medium that provides one or more virtual instructors as recited in claim 20, wherein the second virtual instructor leads a breakout session with one or more users (see col. 13, lines 8-13).

In considering claim 37, Daniels disclose a computer program embodied on a computer-readable medium that provides one or more virtual instructors as recited in claim 20,

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wherein the second virtual instructor is selected by the first virtual instructor (see col. 6, lines 36-63 and col. 14, lines 37-64).

In considering claim 38, Daniels disclose a computer program embodied on a computer-readable medium that provides one or more virtual instructors as recited in claim 20, wherein the second virtual instructor the interaction parameters include support of for electronic distribution of materials from the second virtual instructor (see col. 6, lines 36-63 and col. 14, lines 37-64).

As per claims 58, Daniels et al disclose a method for establishing virtual class room (class room 28), comprising the steps:

- connecting virtual classroom (fig. 4, element 28) and one or more users (see col. 3, lines 15-40 and col. 4, lines 19-50 and col. 6, lines 37-64);
- selecting a presentation type within the classroom to interact with one or more users (see fig. 4, and col. 3, lines 15-40 and col. 4, lines 19-50);
- coupling the one or more users through the server based on the selected destination see fig. 4, and col. 3, lines 15-40 and col. 4, lines 19-50); and
- establishing interaction parameters (providing support functions) for the one or users based on the selected destination (see fig. 4, and col. 3, lines 15-40 and col. 4, lines 19-50).

Daniels does not explicitly disclose selecting based on student profile.

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Stuppy discloses a student assessment system for selecting instructional resource for a student based the student profile (see col. 8, lines 39-54). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to incorporate the teaching of Stuppy such as selecting based on student profile into the system of Daniels such that more proficient teachers in math or reading can be assigned to teach less proficient students based profile of the students.

In considering claim 59, Daniels disclose the method for establishing a virtual class room as recited in claim 58, wherein the presentation type includes at least one of media center (see fig. 4, element 22).

In considering claim 60, Daniels disclose the method for establishing a virtual class room as recited in claim 58, wherein the interaction parameters are a protocol that allow a plurality of people to interact with the system (see col. 3, 1-40).

In considering claim 61, Daniels disclose the method for establishing a virtual class room as recited in claim 58, wherein the interaction parameters are a protocol that allow a plurality of people to interact with the system (see col. 3, 1-40).

In considering claim 62, Daniels disclose the method for establishing a virtual class room as recited in claim 58, wherein material are provided for use by one or more students and one or more teachers in the virtual class room (see fig. 4 and col. 3, 1-40).

In considering claim 63, Daniels disclose the method for establishing a virtual class room as recited in claim 58, wherein homework material are provided for use by one or more students in the virtual class room (see col. 12, 1-23).

In considering claim 64, Daniels disclose the method for establishing a virtual class room as recited in claim 58, wherein tests are provided for use by one or more students (see col. 3, line 36).

In considering claim 65, Daniels disclose the method for establishing a virtual class room as recited in claim 58, wherein a breakout sessions are provided for the one more students and one or more teachers (see col. 13, lines 8-13).

In considering claim 66, Daniels disclose the method for establishing a virtual class room as recited in claim 58, wherein grades are distributed electronically (distributing grades electronically is inherent to Daniels system, see also fig. 18 and col. 10, 19-41).

As per claim 67, Daniels disclose an apparatus for establishing virtual classroom (classroom 28), comprising the steps:

- logic that connects virtual classroom (fig. 4, element 28) and one or more users (see col. 3, lines 15-40 and col.4, lines 19-50 and col. 6, lines 37-64);

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- logic that selects a presentation type within the classroom to interact with one or more users (see fig. 4, and col. 3, lines 15-40 and col. 4, lines 19-50);
- logic that couples the one or more users through the server based on the selected destination see fig. 4, and col. 3, lines 15-40 and col. 4, lines 19-50);
and
- logic that establishes interaction parameters (providing support functions) for the one or users based on the selected destination (see fig. 4, and col. 3, lines 15-40 and col. 4, lines 19-50).

Daniels does not explicitly disclose selecting based on student profile.

Stuppy discloses a student assessment system for selecting instructional resource for a student based the student profile 9see col. 8, lines 39-54). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to incorporate the teaching of Stuppy such as selecting based on student profile into the system of Daniels such that more proficient teachers in math or reading can be assigned to teach less proficient students based profile of the students.

As per claim 68, Daniels disclose a computer program embodied on a computer-readable medium for establishing a virtual classroom comprising the steps:

- connecting virtual classroom (fig. 4, element 28) and one or more users (see col. 3, lines 15-40 and col. 4, lines 19-50 and col. 6, lines 37-64);
- selecting a presentation type within the classroom to interact with one or more users (see fig. 4, and col. 3, lines 15-40 and col. 4, lines 19-50);

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- coupling the one or more users through the server based on the selected destination see fig. 4, and col. 3, lines 15-40 and col. 4, lines 19-50); and
- establishing interaction parameters (providing support functions) for the one or users based on the selected destination (see fig. 4, and col. 3, lines 15-40 and col. 4, lines 19-50).

Daniels does not explicitly disclose selecting based on student profile.

Stuppy discloses a student assessment system for selecting instructional resource for a student based the student profile 9see col. 8, lines 39-54). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to incorporate the teaching of Stuppy such as selecting based on student profile into the system of Daniels such that more proficient teachers in math or reading can be assigned to teach less proficient students based profile of the students.

As per claim 69, Daniels disclose a computer program embodied on a computer-readable medium for establishing a virtual classroom as recited in claim 68, wherein the presentation type includes at least one of media center (see fig. 4, element 22).

As per claim 70, Daniels disclose a computer program embodied on a computer-readable medium for establishing a virtual classroom as recited in claim 68, wherein the interaction parameters are a protocol that allow a one person to interact with the system (see col. 3, 1-40).

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As per claim 71, Daniels disclose a computer program embodied on a computer-readable medium for establishing a virtual classroom as recited in claim 68, wherein the interaction parameters are a protocol that allow a plurality of people to interact with the system (see col. 3, 1-40).

As per claim 72, Daniels disclose a computer program embodied on a computer-readable medium for establishing a virtual classroom as recited in claim 68, wherein material are provided for use by one or more students and one or more teachers in the virtual class room (see fig. 4 and col. 3, 1-40).

As per claim 73, Daniels disclose a computer program embodied on a computer-readable medium for establishing a virtual classroom as recited in claim 68, wherein homework material are provided for use by one or more students in the virtual class room (see col. 12, 1-23).

As per claim 74, Daniels disclose a computer program embodied on a computer-readable medium for establishing a virtual classroom as recited in claim 68, wherein tests are provided for use by one or more students (see col. 3, line 36).

As per claim 75, Daniels disclose a computer program embodied on a computer-readable medium for establishing a virtual classroom as recited in claim 68, wherein a

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breakout sessions are provided for the one more students and one or more teachers (see col. 13, lines 8-13).

As per claim 76, Daniels disclose a computer program embodied on a computer-readable medium for establishing a virtual classroom as recited in claim 68, wherein the virtual classroom is recorded (see fig. 4, element 52, the multimedia material for recording material).

CONCLUSION

6. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure.
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Salad E Abdullahi whose telephone number is 571-272-4009. The examiner can normally be reached on 8:30 - 5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.
8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abdullahi Salad

2/15/2005